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COMMITTEE ON RELATIONS WITH
THE HOST COUNTRY

LETTER DATED 7 NOVEMBER 1994 FROM THE REPRESENTATIVE OF THE
UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL,
AND REPRESENTATIVE OF THE UNITED STATES ON THE COMMITTEE ON
RELATIONS WITH THE HOST COUNTRY, ADDRESSED TO THE CHAIRMAN OF
THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

I hereby request that the enclosed note verbale No. HC-76-94 dated
20 October 1994, addressed to the Permanent Mission of Cuba to the United
Nations, be circulated as a document of the Committee on Relations with the Host
Country.

(Signed) Victor MARRERO



ANNEX

Note verbale dated 20 October 1994 from the United States Mission
to the United Nations addressed to the Permanent Mission of Cuba
to the United Nations

The United States Mission to the United Nations presents its compliments to the Permanent Mission of Cuba to the United Nations and refers to the Permanent Mission's notes verbales Nos. 551 and 556 of 30 August 1994 relating to incidents that took place that day in the vicinity of the Permanent Mission.

The United States Mission regrets the violent actions directed at the Permanent Mission of Cuba on 30 August 1994. The United States Government condemns any and all acts which violate the premises of diplomatic missions and/or the personal and physical security of mission personnel. It remains fully committed to provide the necessary protection required to ensure the safety and security of diplomatic personnel and property.

The United States Government must none the less strongly protest the unacceptable behaviour of certain diplomatic members of the Permanent Mission of Cuba who decided on 30 August to take direct action against both demonstrators and members of the New York Police Department. The United States Mission can only reiterate to the Permanent Mission of Cuba and its staff that the United States Government and the City of New York cannot and will not tolerate such violence on the part of diplomatic agents or any interference by such persons with local and Federal law enforcement personnel.

In its note verbale No. 556, the Permanent Mission of Cuba asserts that the police officer on guard in front of the Mission took no action when demonstrators advanced on the Permanent Mission's property. This is not true. Police reports, corroborated by several eyewitnesses and a videotape of the incident, show that police reinforcements arrived immediately after the onset of the incident. The Permanent Mission's note verbale further states that certain police officers tried to prevent the Cuban diplomatic officials from defending themselves and also provoked, insulted and beat them. The United States Government rejects these unwarranted allegations as well. The subsequent investigation of the events, again corroborated by both eyewitnesses and videotape, shows that the New York Police exercised remarkable restraint in the light of the shocking interference and physical abuse on the part of Cuban diplomats against uniformed police officers on the scene to protect the Permanent Mission and to restore order.

The four diplomatic officers from the Permanent Mission of Cuba who were apprehended on 30 August were released by the New York Police as soon as the United States Department of State became aware of the detention. However, had members of the Permanent Mission involved in the altercation not enjoyed full diplomatic privileges and immunities, they would likely have faced serious charges, ranging from assaulting police officers to incitement to riot. Three of the demonstrators who provoked the events of 30 August currently face charges of disorderly conduct and/or felonious criminal trespass; their cases are being

processed by New York City authorities. It is possible that additional charges will be brought against these individuals as a result of ongoing investigations.

The United States Mission reiterates that the host country has the responsibility for protecting the security of diplomatic missions. In the light of these obligations, the local and Federal law enforcement authorities provide protective services to diplomatic missions and their officials commensurate with requirements at the time. These law enforcement authorities have long provided a high level of protection to the Permanent Mission of Cuba and its officials, including the high-level delegation which travelled to New York for the recent talks on migration. In view of this protection, the United States Government categorically rejects the Permanent Mission's unfounded insinuation in its note verbale No. 556 that the events of 30 August and the police reaction thereto demonstrate connivance against, or an attempt to disrupt, those discussions.

The United States Mission remains prepared to meet at any time with representatives of the Permanent Mission of Cuba and the appropriate law enforcement and protective authorities regarding the Permanent Mission's ongoing security. In this regard, it may be useful to note that the New York Police Department is now considering changes in procedures regarding recurrent demonstrations in the vicinity of the Permanent Mission.
